

**AMERICAN PATENT & TRADEMARK LAW CENTER***A Professional Corporation • Registered Patent Attorneys***RECEIVED  
CENTRAL FAX CENTER**

12702 Via Cortina, Suite 100 • Del Mar, CA 92014 • Tel.: (858)509-1400 • Fax: (858)509-1677

Web: [www.patentpending.com](http://www.patentpending.com) • Email: [Dharms@patentpending.com](mailto:Dharms@patentpending.com)**AUG 28 2009****\*\*WARNING\*\***

The information contained in this FAX is CONFIDENTIAL information (and may be attorney privileged) intended ONLY for the addressee as identified below. Dissemination or distribution of this communication to anyone other than the addressee is STRICTLY PROHIBITED. If you have received this communication in error, please notify the sender immediately by telephone and return the communication to us via U.S. Postal Service. Your cooperation is greatly appreciated.

**To:** USPTO - Office of Petitions**RECEIVED****Fax No.:** (571) 273-8300**SEP 03 2009****From:** Christa Carey for Donn K. Harms, Esq.**OFFICE OF PETITIONS****Date:** August 28, 2009

**Re:** Resubmission of Petition to Acceptance of Unavoidably Delayed Maintenance Fees Pursuant to 35 U.S.C. 41 (c)(1) and 37 CFR 1.378 (b)  
Application No.: 09/213,968  
Patent No.: 6221836

**Number of pages: 54 (including this sheet)**

Dear Sirs:

On July 6, 2009 our office submitted a Petition for Acceptance of Unavoidably Delayed Maintenance Fees for the above mentioned patent application. Shortly thereafter, we received a Return Receipt Postcard with a date stamp showing necessary documents were received by the USPTO on July 20, 2009.

I called the Office of Petitions to check the status of the Petition today and was informed that while the petition fee and original maintenance fee were received, there is no record of the actual petition being processed. One of the attorney's in the Petition's Office that I spoke to suggested that I resend a copy of the Petition as well as a copy of the Return Receipt Postcard showing the documents that were received on July 20, 2009. Please file and process the Petition as soon as possible.

Do not hesitate to contact me with any questions or concerns.

Kind Regards,



Christa Carey  
Assistant to Donn K. Harms

Patent: Composition of pyruvate and anabolic protein and  
method for increasing fat loss in a mammal

Application No. 09213968

Inventor Name: Beale

Patent No.: 6221836

Received In the United States Patent Office on the date stamped hereon:

1. Petition for Acceptance of Unavoidably Delayed Maintenance Fees (12 pages)
2. Exhibits to Petition (47 pages)
3. Certificate of Mailing Dated July 6, 2009
4. Credit Card Payment Form for Payment of 1<sup>st</sup> Maintenance Fee
5. Credit Card Payment Form for Payment of 2<sup>nd</sup> Maintenance Fee
6. Credit Card Payment Form for Payment of Maintenance Fee in an Unavoidably Expired Patent
7. Return Receipt Postcard